

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

REALTIME DATA LLC d/b/a IXO,

Plaintiff,

v.

ORACLE AMERICA, INC.,

Defendant.

Case No. 6:16-cv-088-RWS-JDL

LEAD CASE

JURY TRIAL DEMANDED

REALTIME DATA LLC d/b/a IXO,

Plaintiff,

v.

ORACLE AMERICA, INC., HEWLETT
PACKARD ENTERPRISE CO., and HP
ENTERPRISE SERVICES, LLC,

Defendants.

Case No. 6:15-cv-467-RWS-JDL

MEMBER CASE

JURY TRIAL DEMANDED

REALTIME DATA LLC d/b/a IXO,

Plaintiff,

v.

HEWLETT PACKARD ENTERPRISE CO., HP
ENTERPRISE SERVICES, LLC, and SILVER
PEAK SYSTEMS, INC.,

Defendants.

Case No. 6:16-cv-086-RWS-JDL

JURY TRIAL DEMANDED

**ORDER GRANTING DEFENDANTS HEWLETT PACKARD ENTERPRISE CO. AND
HP ENTERPRISE SERVICES, LLC'S MOTION TO SEVER AND CONSOLIDATE**

Defendants Hewlett Packard Enterprise Co. and HP Enterprise Services, LLC's (collectively, "HPE") filed an Opposed Motion to Sever and Consolidate. (Case No. 6:16-cv-86, Doc. No. 60; Case No. 6:16-cv-88, Doc. No. 72.) Plaintiff Realtime Data LLC ("Realtime") filed a document in Case Number 6:16-cv-86 titled "Response in Opposition re 60 Opposed Motion to Sever and Opposed Motion to Consolidate Cases" on October 13, 2016. (Doc. No. 61.) However, the actual document filed by Realtime was a Response to Silver Peak Systems, Inc.'s Motion to Sever and Change Venue. (*See* Doc. Nos. 55, 61, 62.) Despite a Notice of Deficiency regarding Realtime's Response in Opposition to HPE's Motion to Sever and Consolidate, Realtime has not refiled its Response to date. Realtime did not file a Response to the Motion in Case Number 6:16-cv-88.

The Court **ORDERS** that if Realtime still opposes HPE's Motion to Sever and Consolidate (Doc. No. 60), that it refile the correct documents for the Response in the appropriate matters by **October 28, 2016, 5:00 p.m. Central Time**. Otherwise, HPE's Motion will be considered unopposed pursuant to Local Rule CV-7(d).

So ORDERED and SIGNED this 27th day of October, 2016.


JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE